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HOUSE BILL 513
By Ridgeway

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14, Part 1, relative to theft.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-14-132, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) No person or agent of any person shall misrepresent the mileage on a new or used motor vehicle which is offered for sale, trade-in or exchange by altering, changing, disconnecting, or resetting the mileage registering instrument of a new or used motor vehicle so as to show a lesser mileage reading than that recorded by the instrument; provided, that this shall not be construed to prevent the service, repair, or replacement of the mileage registering instrument, which by reason of normal use, wear, or through damage, requires service, repair, or replacement.

SECTION 2. Tennessee Code Annotated, Section 39-14-132(c), is amended by deleting the language "Class A Misdemeanor" and by substituting instead the language "Class D Felony".

SECTION 3. Tennessee Code Annotated, Section 39-14-132, is amended by adding the following new subsection (d):

(d) Any person who violates this section, with intent to defraud, is liable for three (3) times the actual damages or four thousand dollars (\$4,000), whichever is greater.

SECTION 4. Tennessee Code Annotated, Section 39-14-132, is amended by adding the following new subsection (e):

(e) A person may bring a civil action to enforce a claim under this section in an appropriate court of competent jurisdiction. The action must be brought not later than two (2) years after the claim accrues. The court shall award costs and reasonable attorney's fee to the claimant when a judgment is entered for that person.

SECTION 5. This act shall take effect July 1, 2001, the public welfare requiring it.